

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

MARKEL AMERICAN INSURANCE
COMPANY,

Plaintiff-Counterclaim Defendant,

v.

FRED BACHMANN,

Defendant-Counterclaim-Plaintiff,

v.

MURPHY INSURANCE SERVICES, INC.,

Third Party Defendant.

JUDGMENT IN A CIVIL CASE

Case No. 09-cv-226-bbc

DOCKET# _____
U.S. DISTRICT COURT
WEST DIST. OF WISCONSIN

OCT - 1 2010

This action came for consideration before the court with District Judge Barbara B. Crabb presiding. The issues have been considered and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that plaintiff's motion to dismiss third-party defendant's cross-claim against plaintiff is granted and defendant's cross-claim is dismissed.

IT IS FURTHER ORDERED AND ADJUDGED that Fred Bachmann's third party complaint against Murphy Insurance Services, Inc., is dismissed.

IT IS FURTHER ORDERED AND ADJUDGED that judgment is entered declaring that:

1. The relationship of insurer and insured does not exist between plaintiff Markel American Insurance Company and defendant Fred Bachmann with respect to the incident in which defendant's boat was constructively destroyed on July 24, 2008;
2. Policy No. RP2006972 does not afford Hull & Machinery coverage to defendant

for the incident of July 24, 2008; and

3. Policy No. RP2006972 excludes Hull & Machinery coverage to defendant for the incident of July 24, 2008, suspends such coverage or both excludes and suspends it.



Peter Oppeneer, Clerk of Court

OCT -1 2010

Date